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APPLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE APPLE & AT&TM ANTI-TRUST
LITIGATION

CASE NO. C 07-05152 JW

**[PROPOSED] ORDER GRANTING
DEFENDANT APPLE'S MOTION TO
DISMISS REVISED CONSOLIDATED
AMENDED CLASS ACTION COMPLAINT**

Date: September 12, 2008
Time: 1:00 p.m.
Place: Courtroom 8, 4th Floor
Judge: Honorable James Ware

Defendant Apple Inc.'s Motion to Dismiss ("Motion") came on regularly for hearing on September 12, 2008. Having considered the papers filed in support of and in opposition to the Motion and the arguments of counsel, and good cause being shown,

IT IS HEREBY ORDERED that the Motion be GRANTED in its entirety.

Dated: _____

THE HONORABLE JAMES WARE
United States District Judge

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